

FORMALITIES LETTER

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**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**Address: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/545,536	04/07/2000	Rodney W. Salo	980457.ORI

C G Mersereau Esq
 NIKOLAI MERSEREAU & DIETZ P A
 820 International Centre
 900 Second Avenue South
 Minneapolis, MN 55402-3325



Date Mailed: 06/14/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**FILED UNDER 37 CFR 1.53(b)*****Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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Sector #

PATENT APPLICATION
OUR FILE NO. 980457.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Rodney W. Salo et al.
S.N. : 09/545,536
Filed : April 7, 2000
For : CARDIAC RHYTHM MANAGEMENT
SYSTEM WITH OPTIMIZATION OF
CARDIAC PERFORMANCE USING HEART RATE

: July 26, 2000



LETTER

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

This paper is submitted in response to the Notice to File Missing Parts dated June 14, 2000 (copy attached), in the above-captioned application.

Submitted herewith please find a copy of the Supplemental Declaration, Power of Attorney, and Petition, together with a check in the amount of \$130.00 to cover the surcharge for a large entity for the late filing of the Declaration.

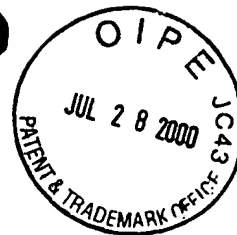
The Commissioner is authorized to charge any additional fees or refund any overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 08-1265.

Respectfully submitted,

NIKOLAI, MERSEREAU & DIETZ P.A.

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CERTIFICATE OF MAILING

I hereby certify that the foregoing Letter, a copy of the Notice to File Missing Parts of Application bearing a date mailed of June 14, 2000, a copy of the Supplemental Declaration, Power of Attorney and Petition, together with a check in the amount of \$130.00 in application Serial No. 09/545,536, filed on April 7, 2000, of Rodney W. Salo et al, entitled "CARDIAC RHYTHM MANAGEMENT SYSTEM WITH OPTIMIZATION OF CARDIAC PERFORMANCE USING HEART RATE", are being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, postage prepaid, on July 26, 2000.

A handwritten signature in cursive script that reads "Barbara L. Davis".

Barbara L. Davis
Secretary to C. G. Mersereau
Attorney for Applicant

Date of Signature: July 26, 2000